

Examiner-Initiated Interview Summary	Application No. 10/715,769	Applicant(s) INAGAKI ET AL.	
	Examiner J. Derek Rutten	Art Unit 2192	

All Participants:
Status of Application: Allowable

 (1) J. Derek Rutten.

(3) _____.

 (2) Scott D. Paul, Reg. No. 42,984.

(4) _____.

Date of Interview: 1 June 2007
Time: 11 AM
Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

 Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

101, 102, 103

Claims discussed:

1, 6, 12, 17

Prior art documents discussed:

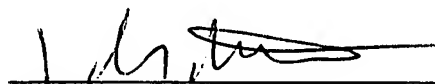
Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed:

Examiner Rutten contacted Mr. Paul after reading the arguments presented in regard to the 103 rejection of claim 6. Mr. Rutten suggested that an examiner's amendment to roll up claim 6 would overcome the prior art. Mr. Paul agreed to an examiner's amendment to claims 1 and 12 to include the subject matter of claims 6 and 17, respectively. Mr. Rutten further suggested that claim 1 could potentially be directed to nonstatutory software per se, and that an additional amendment may be necessary. Mr. Paul argued and insisted that each component, including the information processor itself, routine registration means, and the level determination means, each comprises hardware elements since software by itself could not perform the "registering" or "determining" required of the claim elements. Mr. Paul did not agree to any amendment for this purpose. Mr. Rutten agreed to investigate further, and to speak to his supervisor, Mr. Tuan Dam. Mr. Rutten and Mr. Dam agreed that in light of Mr. Paul's comments that each component included hardware, the specification appears to reasonably disclose at least a routine registration means that inherently comprises hardware elements (see paragraphs [009], [010], and [043]).